

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE:	§	
OMNI LION'S RUN, L.P.	§	LEAD CASE NO. 17-60329
OMNI LOOKOUT RIDGE, L.P.	§	2d CASE NO. 17-60447
Jointly Administered	§	
Debtors-in-Possession	§	CHAPTER 11
	§	(Jointly Administered
	§	Under 17-60329)

**MOTION TO VACATE ORDER GRANTING OBJECTION OF DEBTOR, OMNI
LOOKOUT RIDGE, L.P., TO CLAIM NUMBER 13 IN CASE 17-60447 OF AUTHENTIC
CONTRACTING SOLUTIONS, LLC**
[relates to Doc#227]

This pleading requests relief that may be adverse to your interests.

If no timely response is filed within 21 days from the date of service, the relief requested herein may be granted without a hearing being held.

A timely filed response is necessary for a hearing to be held.

TO THE HONORABLE RONALD B. KING, CHIEF U.S. BANKRUPTCY JUDGE

Omni Lookout Ridge, L.P. ("Lookout Ridge" or "Debtor") files this Motion to Vacate the Order granting Objection to the Proof of Claim filed by Authentic Contracting Solutions, LLC ("ACS") [POC No. 13 in Case No. 17-60447] and would show as follows:

1. On August 15, 2017, ACS filed a proof of claim in Case No. 17-60329 [POC No. 4] for \$45,658.58.
2. On April 13, 2018, ACS filed a proof of claim in Case No. 17-60447 [POC No. 13] for \$87,830.34.
3. On or about April 29, 2018, the Debtor objected to both proofs of claim using the 30-day negative notice language required by Standing Order 17-09.
4. No objection was filed, and on May 21, 2018, the Court entered an order granting the objections [Doc#s 226 and 227]

5. Service was defective on the claim objections. Debtor's counsel believed that based on the electronic filing of the claims, ACS's counsel would receive electronic notice through the Court's CM/ECF system. ACS received notice of the order denying claim because Debtor's counsel did properly provide for service of that order through BNC. The service issue did not affect any other documents in this case and has been corrected in this motion.

6. On May 29, 2018, the Debtor conferred with counsel for ACS and agreed to seek reconsideration of the orders so that the objections might be set for hearing.

7. On May 31, 2018, ACS filed its motion to vacate the order [Doc#227] granting the objection to the claim at issue, Claim 13 in 17-60447, as well as a motion to vacate the order [Doc#226] granting objection to Claim 4 in 17-60329. The motion to vacate the order regarding claim 4 [Doc#226] was filed in the correct case and has already been granted [Doc#233].¹ The motion to vacate the order regarding claim 13 was filed in the wrong case, and has not yet been granted.

8. Debtor files this motion in order to vacate the order on claim 13 at Docket Entry 227 and to request that the objection be set for hearing.

WHEREFORE, the Debtor requests that the Court grant this Motion, vacate the order granting objection to claim 13, set the objection for hearing, and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

/s/ Ron Satija

Ron Satija
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Austin, Texas 78746

¹ A separate motion will be filed to vacate that order in part. While the Debtor did agree to vacate the orders, the Debtor did not agree that its objections should be denied, which was included in the order. Doc#226.

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ATTORNEY FOR OMNI
LOOKOUT RIDGE, L.P.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing Objection to Proof of Claim of ACS was served via CM/ECF to all parties entitled to such notice and by mail to Mr. Frisch on June 5, 2018.

/s/ Ron Satija
Ron Satija

Person named on POC as notice party and
Person who filed claim:
Authentic Contracting Solutions, LLC
Robert K. Frisch, Attorney
15150 Preston Road, Suite 240
Dallas, TX 75248

Debtor by e-mail by agreement:
Omni Lookout Ridge, LP
160 Lookout Ridge
Georgetown, TX 786267501

U.S. Trustee
903 San Jacinto Ste 230
Austin, TX 78701